

**-UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Britta Louise Puppe, as Trustee,
for the Next of Kin of Randall
Lee Puppe, Decedent,

Plaintiff,

ORDER

Civil File No. 10-3888 (MJD/JJK)

v.

Ametek, Inc. (f/k/a American
Machine and Metals); M&S
Manufacturing Co., Hilco
Industrial LLC; and Mid-Michigan
Machinery Sales, Inc.,

Defendants.

Lucas V. Cragg and Scott A. Teplinsky, Katz Manka Teplinsky Graves & Sobol
Ltd, Counsel for Plaintiff

Lenae M. Pederson and Michael D. Hutchens, Meagher & Geer, PLLP, Counsel
for Defendant M&S Manufacturing Co.

The above entitled matter comes before the Court upon the Report and
Recommendation of United States Magistrate Judge Jeffrey J. Keyes, dated May
13, 2011 [Docket No. 68]. Defendant M&S Manufacturing Co. ("M&S") filed
objections to the Report and Recommendation. Pursuant to statute, the Court

has conducted a de novo review of the record, including all transcripts filed and exhibits submitted to the Court. 28 U.S.C. § 636(b)(1); Local Rule 72.2(b). Based upon that review, the Court **ADOPTS** the Report and Recommendation.

Additionally, the Court notes that, subsequent to the issuance of the Report and Recommendation, Plaintiff has filed a Motion to Withdraw Admissions [Docket No. 86]. This matter is scheduled for a hearing in front of Magistrate Judge Keyes on July 8, 2011. In adopting the Report and Recommendation, the Court makes no ruling on this pending motion.

Accordingly, based upon the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. The Court **ADOPTS** the Magistrate Judge's Report and Recommendation dated May 13, 2011 [Docket No. 68].
2. Defendant M&S Manufacturing Co.'s Motion to Dismiss [Docket No. 26] is **DENIED**.

Dated: June 20, 2011

s/ Michael J. Davis

Michael J. Davis

Chief Judge

United States District Court